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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,664	03/08/2001	Ho Soo Lee	YOR9-2001-0159US1	4845
30743	7590	07/05/2006	EXAMINER	
WHITHAM, CURTIS & CHRISTOFFERSON & COOK, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			BORLINGHAUS, JASON M	
			ART UNIT	PAPER NUMBER
			3693	

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/800,664	Applicant(s) LEE ET AL.	
	Examiner Jason M. Borlinghaus	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2001 and 16 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

**Claim 2** is objected to because of the following informalities: improper verb tense. Claim 2 (line 1) claims “the graphical format are sell bid lines” (emphasis added) but should claim “the graphical format is sell bid lines” (emphasis added). Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

To ensure clarity and clear understanding of examiner's rationale for application of cited prior art, terminology contained within parentheses indicates quoted language contained within said cited prior art reference while unquoted language contained within

parentheses indicates the general concept as conveyed by said cited prior art reference. Such parenthetical terminology is to be interpreted as “reading on” or being “mapped to” the claim language prior to such parenthetical inclusions.

**Claims 1 – 30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Disclosed Prior Art (applicant’s specification, pp. 1 – 7 and fig. 1 – 2) in view of Jones (Jones, Gerald Everett. *How to Lie with Charts*. iUniverse. February 1, 2000. pp. 61 – 67, 70 – 72, 85 – 87, 170, 175, 258 and 262).

**Regarding Claims 1 – 3**, Disclosed Prior Art discloses a method of purchasing products and services over a network (“e-marketplace”) comprising the steps of:

- submitting a Request for Quotation (RFQ) with at least one attribute (“such as delivery time, quantity discounts and the like”) over the network (“e-marketplace”): (see 100, fig. 1 and p. 3, lines 9 - 18).
- receiving at least one bid in response to the RFQ over the network (“e-marketplace”), each of the at least one bid having at least one attribute value associated therewith (“various relevant factors in the bids including price, quantity, etc.”). (see 110, fig. 1 and p. 5, lines 5 – 6);
- creating a graphical visual interface (“web pages”) based on a ranking system, the graphical user interface showing a relationship (“ranking” or “score”) in a graphical format (“web pages”) between the at least one attribute (“values of relevant factors...are used to calculate the score”) and the at least one bid (“individual bid”) and associated attribute value

("importance value or "weight" of each factor...are used to calculate the score of individual bids") in a single display (fig. 2). (see p. 6, 14 – 22 and fig. 2); and

- displaying information pertinent to a selected bid of the at least one bid ("reachable from information buttons). (see p. 6, lines 17 – 20 and fig. 2); and
- wherein the information is one of a general information ("score") and detailed information ("attribute information") related to the at least one bid ("reachable from information buttons). (see p. 6, lines 17 – 20 and fig. 2).

Disclosed Prior Art does not teach underlined limitations – a method of purchasing products and services over a network comprising the steps of:

- creating a graphical visual interface based on a Cartesian coordinate system, the graphical user interface showing a relationship in a graphical format between the at least one attribute and the at least one bid and associated attribute value in a single display; and
- wherein the graphical format is sell bid lines representative of selected connected attribute values of the at least one bid.

Utilization of a Cartesian coordinate system to display and/or graph data is old and well known in the art of data graphing and information technology as evidenced by Jones (see pp. 62 – 67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art to allow for any representation of the data values that the inventor desired, such as through the

graphical representation of such values in a Cartesian coordinate system, as disclosed by Jones, as opposed to textual representation of the values displayed on a graphical user interface. *In re Kuhle*, 526 F.2d 553, 555, 188 USPQ 7, 9 (CCPA 1975).

Furthermore, graphical representation of multivariate and/or multi-attribute data is old and well known in the art of data graphing and information technology, as evidenced by Jones (see pp. 85 – 87). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art and Jones by further graphing, as disclosed by Jones, the multiple variables that comprised the final score, as disclosed by Disclosed Prior Art, allowing the user to understand underlying mechanism for calculation of the final score.

Linking and/or connecting attribute values of related data is old and well known is old and well known in the art of data graphing and information technology, as evidenced by Jones which states, “Points in the same data set are then connected to form a line plot.” (see p. 85). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have linked and/or connected attribute values of the bids, as disclosed by Jones, thereby connecting data points related to one data set, the bid, allowing for graphic representation of the interrelations of bid attributes.

**Regarding Claims 4 – 7**, Disclosed Prior Art discloses a method further comprising the steps of:

- selecting a portion of a selected bid (“bids”) created from attribute values (underlying the “ranks and scores”) of the at least one bid. (see p. 6, lines 17 - 20 ); and

- retrieving the general or detailed information (“information pages”) from a database (web server), the general or detailed information being pertinent to the selected bid (“...may be hyper-links to Web pages. The hyper-links to the information pages may provide detailed information of individual bids in an unstructured text format.” – see p. 6, lines 10 – 13);
- wherein the retrieved general information (“information pages”) is provided in a window. (see p. 6, lines 10 – 13); and
- wherein the detailed information (“web pages reachable from information buttons”) is rendered in one of text (“reading attribute information.”). (see p. 6, lines 16 – 20).

Disclosed Prior Art does not disclose the underlined claim limitations – a method further comprising the steps of:

- selecting a portion of a selected sell bid line created from connected attribute values of the at least one bid; and
- retrieving the general or detailed information from a database, the general or detailed information being pertinent to the selected sell bid line;
- wherein the retrieved general information is provided in a window adjacent the selected sell bid line; and
- creating a display separate from the graphical visual interface; and displaying the detailed information in the separate display.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art and Jones to allow for any

hyperlink to information that the inventor desired, such as a hyperlink formed by bid names and information buttons, as disclosed by Disclosed Prior Art, or through component objects of the graphical representation. *In re Kuhle*, 526 F.2d 553, 555, 188 USPQ 7, 9 (CCPA 1975).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art and Jones to allow general information to be provided in a window located anywhere in the visual display, such as through a window located adjacent to the selected sell bid line. *In re Kuhle*, 526 F.2d 553, 555, 188 USPQ 7, 9 (CCPA 1975).

Displaying data separate from the graphical representation of said data is old and well known in the art of data graphing and information technology, as evidenced by Jones (see p. 71, fig. 4.8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art and Jones to have provided a display separate from the graphical representation of the data, as disclosed by Jones, providing system user with another, and possibly more accurate, information concerning the selected bid.

**Regarding Claims 8 – 10**, Claims 8 - 10 recite similar limitations to Claims 2 – 4 and 7 are therefore rejected using the same art and rationale as applied in the rejections of Claims 2 – 4 and 7.

**Regarding Claims 11 – 13**, Disclosed Prior Art discloses a method further comprising:



- the steps of tagging (selecting) at least one bid created from the attribute values (underlying the “ranks and scores”) of the at least one bid. (see p. 6, lines 17 – 20);
- displaying the tagged (selected) at least one sell bid on the graphical visual interface (“attribute information in web pages”) after a selected filtering operation (selection of “web pages reachable from the information buttons.”) (see p. 6, lines 17 – 20); and
- wherein the information is at least one attribute value (“attribution information”) associated with the tagged (selected) at least one sell bid. (see p. 6, lines 17 – 20).

Disclosed Prior Art does not teach underlined limitations – a method further comprising:

- the steps of tagging at least one sell bid line created from connected attribute values of the at least one bid; and
- displaying the tagged at least one sell bid line on the graphical visual interface after a selected filtering operation;
- wherein the graphical information is at least one attribute value associated with the tagged at least one sell bid line; and
- further comprising the steps of untagging the at least one sell bid line; and
- removing the tagged at least one sell bid line from the graphical visual interface in response to the selected filtering operation.

Selecting, unselecting and/or deleting line plots from a graphical representation of data, such as through deletion of a data set or removal of a sheet in a multi-layered drawing, is old and well known in the art of graphing and information technology. It would have been obvious to one of ordinary skill in the art to have modified Disclosed Prior Art and Jones to incorporate to the ability to tag, untag and remove line plots from the graphical representation of data, as is old and well known, to allow for simplification and clarity of displayed information, retaining bid lines still undergoing consideration, while removing bid lines eliminated from consideration.

**Regarding Claims 14 – 15,** Disclosed Prior Art does not teach underlined limitations - a method further comprising:

- the step of displaying a count of bid lines associated with the at least one bid, the count being displayed on the graphical visual interface; and
- the steps of continuously counting the number of bid lines and displaying the counted number of bid lines in the graphical visual interface.

Displaying a total count of objects located on a graphical display, such as a total of submitted bids, and/or continuously updating the total count of objects on the graphical display, such as a continuously updated total of submitted bids, is old and well known in the art of information technology. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Disclosed Prior Art and Jones by incorporation the ability to maintain an updated total of displayed bid lines, as is old and well known in the art, allowing the user to gauge the total of level of interest in the RFQ based upon the total number of bid lines.

**Regarding Claims 16 – 18**, Disclosed Prior Art does not teach underlined limitations – a method further comprising:

- the steps of enlarging or reducing a portion of the graphical visual interface;
- wherein the enlarging or reducing steps show portions of sell bid lines representative of connected attribute values of the at least one bid; and
- the step of scrolling the graphical visual interface in a desired direction.

Resizing, repositioning and scrolling within a display image are old and well known in the art of information technology. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art and Jones by incorporating the ability to resize, reposition and scroll within a display image, as is old and well known, as such capabilities are conventional and standard display capabilities with computerized graphical user interfaces.

**Regarding Claims 19 - 21**, Claims 19 – 21 recite similar limitations to Claims 1 – 2 and 11 – 13 are therefore rejected using the same art and rationale as applied in the rejections of Claims 1 – 2 and 11 – 13.

**Regarding Claims 22 - 29**, further system claims would have been obvious from method claims rejected above, Claims 1 – 18, and are therefore rejected using the same art and rationale.

**Regarding Claims 30**, further code claim would have been obvious from method claim rejected above, Claim 1, and is therefore rejected using the same art and rationale.

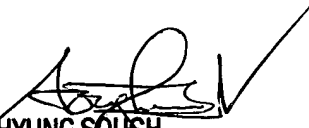
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Borlinghaus whose telephone number is (571) 272-6924. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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